

**Town of Foxborough
Conservation Commission Minutes
February 10, 2014**

Members Present: Robert Boette (Chair), Eric Nelson (Clerk), Douglas Davis, and Judi Johnson
Members Absent: Allan Curtis (Vice Chair), James Marsh and Valerie Marshall
Staff Present: Jane Sears Pierce, Conservation Manager, and Lee Ann Tavares, Secretary
Others Present: See attached sign-in sheet

Meeting Opened

Bob Boette opened the meeting, held in the Boyden Library, at 7:15 p.m. after Doug Davis arrived.

Morse Street, Bleachery Pond (East Side) Spillway, Proposed Replacement

Mr. Roger Hill, DPW Director, attended the meeting to discuss his email to Jane and Bob about the proposed replacement of the Bleachery Pond (east side) spillway. He explained that Bob Swanson had received a MEMA grant to repair the pond's sluiceway, which will expire on March 29, 2014. Last year, the town's consultant Mike Carter estimated that engineering and permitting for the proposed project would cost \$75,000; the grant was for \$16,000. He indicated that there will not be enough time to complete the project prior to the grant's expiration, adding that they might want to tackle the repair in a couple of years, but needed to rebuild the West Street dam first.

Mr. Hill explained that the spillway was not a true spillway, but was more like a 10 foot wide ramp that used to have stop logs which are now long gone. Mass Highway has detailed plans for a box inlet that they could use, but the spillway was not a red flag situation like other dams in town. He stated that the recently installed Morse Street overflow culvert had solved the area's flooding issues.

Judi stated that she had looked at the spillway area and wanted to know if they planned to lower the pond. Mr. Hill responded "no;" they were just trying to fix the current situation. Judi advised that a good alternative would be to create a stable stream channel, rather than replacing the sluiceway.

Mr. Hill stated that the Town did not own the sluiceway; it is owned by a man and woman from Taunton who had come to one of the Board of Water and Sewer Commissioners' meetings last year, asking to be connected to the street's sewer. He researched the site and found that there was a land court survey up to the edge of the pond, but there was nothing on the record showing that the town has a documented deed. Therefore, the town would need an amended land court plan with an access easement to reach the spillway before they could repair it. Mr. Hill reported that the property owners have indicated they would grant an easement to the town, if they were allowed to connect to the street's sewer.

Judi reminded Mr. Hill that the sluiceway work will require a Notice of Intent, a Category 2 permit from the Army Corps, and possibly a Water Quality Certification as well. She suggested using the grant money to hire a fluvial geomorphologist to engineer a natural stream channel instead of box culverts. She explained that under the Wetlands Protection Act, the creation of a natural stream channel would be preferable to box culverts, as well as do-able. Since there is a stream gauge in the area, she believed that Mr. Hill would be able to obtain the gauge's stream data.

Judi also suggested using the grant money for the necessary surveying work. Mr. Hill stated that he would call the grant administrator to see if the grant could be used for survey work.

Dam Maintenance and Inspection

Mr. Hill was asked who was supposed to be in charge of the Town's dams' inspections and maintenance. He stated that, once hired, the new Town Engineer would be in charge of the dams.

Ms. Kim Mellon, a NRRC member who attended the meeting for the dam discussions, asked whether the Neponset Reservoir's dam maintenance could be added to the DPW's list of regular

maintenance work. She explained that the dam needed to be weed-wacked at least twice a year. Mr. Hill said that cutting could be done in the spring and fall. He indicated that he would add the dam's weed-whacking to the DPW Tree and Park Department's list of regular maintenance work, advising that the ideal time to weed-whack is after the growing season is fully completed (i.e. late fall).

Regarding other dams in town, Mr. Hill explained that the Upper Carpenter Dam had been decommissioned, so is no longer on the DCR Office of Dam Safety's list. The Lakeview Road dam (Lakeview Pond) is not on the DPW's plan for work, but West Street dam will soon be repaired.

Continued Hearing - Regulations for Foxborough's Wetland Bylaw (Article IX)

Motion was made by Judi Johnson to continue the hearing for Regulations for Foxborough's Wetland Bylaw (Article IX) to the next meeting; seconded by Doug Davis. **Vote: 4-0-0**

April 25, 2011 Minutes

Motion was made by Eric Nelson to accept the April 25, 2011 meeting minutes as amended; seconded by Doug Davis. **Vote: 4-0-0.**

January 27, 2014 Minutes

Motion was made by Eric Nelson to accept the January 27, 2014 meeting minutes as amended; seconded by Doug Davis. **Vote: 4-0-0.**

Conservation Rental Properties

Bob reported that the Finance Director had removed \$10,000 from their proposed FY15 budget's maintenance expense line. The Commission was directed to submit a request for rental property maintenance funds to the Capital Improvement Planning (CIP) Commission. Currently, the Building Commissioner is compiling an estimate for necessary repairs at 89 North Street, to be included in the CIP Major Repair Request. The Commission wondered why they were not allowed to access their rental income until \$18,000 had been received, since funds were needed for property repairs.

35 and 45 Panas Road, Planning Board Referral

Jane asked the Commission for their input on the Planning Board's Panas Road filing. She pointed out the site's wetlands, potential vernal pool, and wetland replication area where stormwater was being diverted to that probable vernal pool. Jane was asked to respond to the Planning Board, requesting that (1) all work be taken out of the 25 No Disturb Zones, (2) the proposed wetland replication area should be constructed on the opposite side of the road, farther away from the potential vernal pool and (3) that LID stormwater techniques should be added to the plan.

Meeting Adjourned

Motion was made by Judi Johnson to adjourn; seconded by Doug Davis. **Vote: 4-0-0**

The meeting adjourned at 8:35 p.m.

Respectfully submitted,

Eric Nelson, Clerk

Draft minutes submitted by Lee Ann Tavares: 2/18/14

Reviewed by Jane Sears Pierce: 2/18/14

Approved by Commission: 2/24/14

Documents, Not Referenced Above

1. February 10, 2014 Agenda (attached)
2. Meeting sign in sheet (attached)
3. Manager's Report, filed in Manager's Report binder in the Conservation Office.